

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

JAMES HAYDEN,

Plaintiff,

v.

2K GAMES, INC. and TAKE-TWO  
INTERACTIVE SOFTWARE, INC.,

Defendants.

CASE NO. 1:17-cv-02635-CAB

**UNOPPOSED MOTION TO SEAL DEFENDANTS' MEMORANDA OF LAW IN  
SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT AND MOTIONS TO  
EXCLUDE CERTAIN OF PLAINTIFF'S EXPERTS' TESTIMONY, ARGUMENT,  
OR EVIDENCE, AND EXHIBITS THERETO**

In accordance with Local Rule 5.2 and the Court's Protective Order (Dkt. 32), Defendants 2K Games, Inc. and Take-Two Interactive Software, Inc. (collectively, "Take-Two") hereby move for leave to file under seal: (1) an unredacted version of their forthcoming memorandum of law in support of their motion for summary judgment, (2) unredacted memoranda of law in support of their motions to exclude certain testimony, argument, or evidence regarding certain opinions offered by Plaintiff James Hayden's experts, and (3) accompanying exhibits to attorney and expert declarations. Specifically, Take-Two moves for leave to redact from its motions, and file under seal exhibits containing, information that was marked confidential by the parties, pursuant to the Protective Order entered in this case. Dkt. 32. Such information includes Take-Two's competitively valuable financial information and information about its current and future business, products, and strategic plans. To maintain the confidentiality of that information, therefore, Take-Two will file public versions of its memoranda and exhibits that have the the designated-as-confidential information redacted, and

seeks leave by this motion to file the unredacted versions under seal. Take-Two will serve Plaintiff with the unredacted versions of all filings including the memoranda and exhibits, and will file under seal the unredacted versions when the Court grants this motion or as otherwise directed by the Court.

Take-Two explained the basis for this motion to Plaintiff, and he does not oppose it.

Dated: October 21, 2021

---

*/s/ Dale M. Cendali*

Dale M. Cendali (*pro hac vice*)  
Joshua L. Simmons (*pro hac vice*)  
Chris Ilardi (*pro hac vice*)  
KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, New York 10022  
Telephone: (212) 446-4800  
dale.cendali@kirkland.com  
joshua.simmons@kirkland.com  
chris.ilardi@kirkland.com

Miranda D. Means (*pro hac vice*)  
KIRKLAND & ELLIS LLP  
200 Clarendon Street  
Boston, Massachusetts 02116  
Telephone: (617) 385-7500  
miranda.means@kirkland.com

Matthew J. Cavanagh (0079522)  
MCDONALD HOPKINS LLC  
600 Superior Avenue, East, Ste. 2100  
Cleveland, Ohio 44114  
Telephone: 216.348.5400  
Fax: 216.348.5474  
mcavanagh@mcdonaldhopkins.com

*Attorneys for Take-Two 2K Games, Inc. and  
Take-Two Interactive Software, Inc.*